

EXHIBIT “A”

Exhibits Required by Local Rule 81

- Exhibit A-1 Copy of Service of Process – LM Transportaciones SA DE CV
- Exhibit A-2 Copy of Service of Process – Gonzalo Perez Gonzalez
- Exhibit A-3 Copy of Service of Process – Joaquin Cavazos
- Exhibit A-4 Copy of Plaintiff’s Original Petition and Request for Disclosures
- Exhibit A-5 Copy of Defendant Joaquin Cavazos’ Original Answer, Cross Claim and Request for Disclosures
- Exhibit A-6 Defendants Gonzalo Perez Gonzalez and LM Transportaciones SA DE DV’s Original Answer
- Exhibit A-7 Defendants/Cross-Defendants Gonzalo Perez Gonzalez and LM Transportaciones SA DE CV’s Original Answer to Cross-Claim of Co-Defendant Joaquin Cavazos
- Exhibit A-8 Defendants Gonzalo Perez Gonzalez and LM Transportaciones SA DE CV’s Original Third-Party Petition
- Exhibit A-9 Defendants/Cross-Defendants’ Notice to Counsel of Filing Removal
- Exhibit A-10 Copy of Civil Docket/ Case Summary
- Exhibit A-11 Index of Parties and Counsel

NOTICE: Pursuant to TRCP 126: Statement of Inability to Afford Payment of Court Costs or an Appeal Bond filed = NO

**C-1629-20-C
139TH DISTRICT COURT, HIDALGO COUNTY, TEXAS**

**CITATION
THE STATE OF TEXAS**

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty (20) days after you were served with this citation and petition, a default judgment may be taken against you.

**LM TRANSPORTACIONES SA DE CV
9801 S. CAGE BLVD., SUITE 5
PHARR, TEXAS 78577**

You are hereby commanded to appear by filing a written answer to the **PLAINTIFFS' ORIGINAL PETITION AND REQUEST FOR DISCLOSURES** on or before 10:00 o'clock a.m. on the Monday next after the expiration of twenty (20) days after the date of service hereof, before the **Honorable Bobby Flores, 139th District Court** of Hidalgo County, Texas at the Courthouse at 100 North Closner, Edinburg, Texas 78539.

Said petition was filed on this the 13th day of May, 2020 and a copy of same accompanies this citation. The file number and style of said suit being C-1629-20-C, **MARIA C. LONGORIA, RUDY R. VALDERAS VS. GONZALO PEREZ GONZALEZ, LM TRANSPORTACIONES SA DE CV, JOAQUIN CAVAZOS**

Said Petition was filed in said court by Attorney **MANUEL GUERRA, III**; 320 W PECAN AVE. MCALLEN, TX 78501.

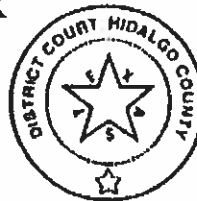
The nature of the demand is fully shown by a true and correct copy of the petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at Edinburg, Texas on this the 19th day of May, 2020.

**LAURA HINOJOSA, DISTRICT CLERK
100 N. CLOSNER, EDINBURG, TEXAS
HIDALGO COUNTY, TEXAS**


ANDRIA GARCIA, DEPUTY CLERK



EXHIBIT

tabbies

A1

**C-1629-20-C
OFFICER'S RETURN**

Came to hand on 19 of May, 2020 at 5:20 o'clock p.m. and executed in Hidalgo County, Texas by delivering to each of the within named Defendant in person, a true copy of this citation, upon which I endorsed the date of delivery to said Defendant together with the accompanying copy of the Plaintiff's Original Petition and Request (petition) at the following times and places, to-wit: for Disclosures with Attached Exhibit A

NAME	DATE	TIME	PLACE
LM Transportaciones SA de CV through Jessica Garcia	6/8/2020	10:12 am	9400 Lamar, Pharr, Tx 78577

And not executed as to the defendant, _____ the diligence used in finding said defendant, being: _____ and the cause of failure to execute this process is: _____ and the information received as to the whereabouts of said defendant, being: _____. I actually and necessarily traveled _____ miles in the service of this citation, in addition to any other mileage I may have traveled in the service of other process in the same case during the same trip.

Fees: serving ... copy(s) \$ _____
miles\$ _____

DEPUTY**COMPLETE IF YOU ARE PERSON OTHER THAN A SHERIFF,
CONSTABLE OR CLERK OF THE COURT**

In accordance to Rule 107, the officer or authorized person who serves or attempts to serve a citation must sign the return. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return must either be verified or be signed under the penalty of perjury. A return signed under penalty of perjury must contain the statement below in substantially the following form:

"My name is Rudy Trevino, my date of birth is 11/29/71 and the address is PO Box 641, Mission, Tx 78573, and I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED in Hidalgo County, State of Texas, on the 8 day of June, 2020



Declarant"

5/31/2022

8690

**If Certified by the Supreme Court of Texas
Date of Expiration / PSC Number**

NOTICE: Pursuant to TRCP 126: Statement of Inability to Afford Payment of Court Costs or an Appeal Bond filed = NO

**C-1629-20-C
139TH DISTRICT COURT, HIDALGO COUNTY, TEXAS**

**CITATION
THE STATE OF TEXAS**

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty (20) days after you were served with this citation and petition, a default judgment may be taken against you.

**GONZALO PEREZ GONZALEZ
PLACE OF EMPLOYMENT: LM TRANSPORTACIONES SA DE CV, RANGEL
9801 S. CAGE BLVD., SUITE 5
PHARR, TEXAS 78577
AND/OR WHEREVER HE MAY BE FOUND**

You are hereby commanded to appear by filing a written answer to the **PLAINTIFFS' ORIGINAL PETITION AND REQUEST FOR DISCLOSURES** on or before 10:00 o'clock a.m. on the Monday next after the expiration of twenty (20) days after the date of service hereof, before the **Honorable Bobby Flores, 139th District Court** of Hidalgo County, Texas at the Courthouse at 100 North Clossner, Edinburg, Texas 78539.

Said petition was filed on this the 13th day of May, 2020 and a copy of same accompanies this citation. The file number and style of said suit being C-1629-20-C, **MARIA C. LONGORIA, RUDY R. VALDERAS VS. GONZALO PEREZ GONZALEZ, LM TRANSPORTACIONES SA DE CV, JOAQUIN CAVAZOS**

Said Petition was filed in said court by Attorney **MANUEL GUERRA, III**; 320 W PECAN AVE. MCALLEN, TX 78501.

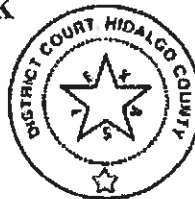
The nature of the demand is fully shown by a true and correct copy of the petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at Edinburg, Texas on this the 19th day of May, 2020.

**LAURA HINOJOSA, DISTRICT CLERK
100 N. CLOSSNER, EDINBURG, TEXAS
HIDALGO COUNTY, TEXAS**


ANDRIA GARCIA, DEPUTY CLERK



EXHIBIT

A-2

**C-1629-20-C
OFFICER'S RETURN**

Came to hand on 19 of May, 2020 at 5:20 o'clock p.m. and executed in Hidalgo County, Texas by delivering to each of the within named Defendant ~~in person~~ ^{by certified mail} a true copy of this citation, upon which I endorsed the date of delivery to said Defendant together with the accompanying copy of the Plaintiff's Original Petition and Request (petition) at the following times and places, to-wit: for Disclosures with Attached Exhibit A

NAME	DATE	TIME	PLACE
Gonzalo Perez Gonzalez LM Tranportaciones SA de CV Ranagel	6/2/2020	2:57 pm	9801 S. Blvd, Suite 5 Pharr, Texas 78577

RRR: 7020 0090 0001 6872 5452

And not executed as to the defendant, _____ the diligence used in finding said defendant, being: _____ and the cause of failure to execute this process is: _____ and the information received as to the whereabouts of said defendant, being: _____. I actually and necessarily traveled _____ miles in the service of this citation, in addition to any other mileage I may have traveled in the service of other process in the same case during the same trip.

Fees: serving ... copy(s) \$ _____
miles\$ _____

DEPUTY

**COMPLETE IF YOU ARE PERSON OTHER THAN A SHERIFF,
CONSTABLE OR CLERK OF THE COURT**

In accordance to Rule 107, the officer or authorized person who serves or attempts to serve a citation must sign the return. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return must either be verified or be signed under the penalty of perjury. A return signed under penalty of perjury must contain the statement below in substantially the following form:

"My name is Rudy Trevino, my date of birth is 11/29/71 and the address is PO Box 641, Mission, Tx 78573, and I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED in Hidalgo County, State of Texas, on the 5 day of June, 2020



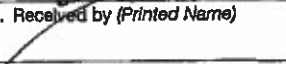

Declarant"

5/31/2020

8690

**If Certified by the Supreme Court of Texas
Date of Expiration / PSC Number**

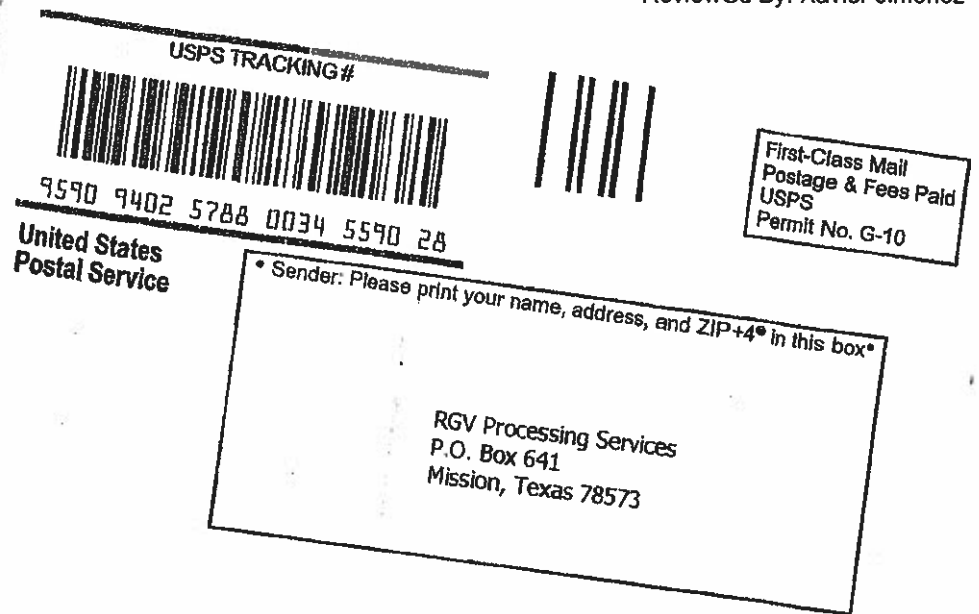
Electronically Filed
6/10/2020 9:09 AM
Hidalgo County District Clerks
Reviewed By: Xavier Jimenez

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X </p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1.</p> <p>GONZALO PEREZ GONZALEZ LM TRANSPORTACIONES SA DE CV, RANGEL 9801 S. CAGE BLVD., SUITE 5 PHARR, TEXAS 78577</p> <p> 9590 9402 5788 0034 5590 28</p>		<p>B. Received by (Printed Name)  C. Date of Delivery <u>6/2/20</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>2. Article Number (Transfer from service label) 7020 0090 0001 6872 5452</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Mail Restricted Delivery (0)</p>	

PS Form 3811, July 2015 PSN 7530-02-000-8053

Domestic Return Receipt

Electronically Filed
6/10/2020 9:09 AM
Hidalgo County District Clerks
Reviewed By: Xavier Jimenez



USPS.com® - USPS Tracking® Results

ALERT: DUE TO LIMITED TRANSPORTATION AVAILABILITY AS A RESULT OF NATIO...

USPS Tracking®[FAQs >](#)**Track Another Package +****Tracking Number:** 70200090000168725452[Remove X](#)

Your item was delivered to an individual at the address at 2:57 pm on June 2, 2020 in PHARR, TX 78577.

 **Delivered**

June 2, 2020 at 2:57 pm
Delivered, Left with Individual
PHARR, TX 78577

[Feedback](#)**Get Updates** 

Text & Email Updates

Tracking History

Product Information**See Less** **Can't find what you're looking for?**

USPS.com® - USPS Tracking® Results

Page 2 of 2

Go to our FAQs section to find answers to your tracking questions.

FAQs

Feedback

C-1629-20-C
139TH DISTRICT COURT, HIDALGO COUNTY, TEXAS

CITATION
THE STATE OF TEXAS

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty (20) days after you were served with this citation and petition, a default judgment may be taken against you.

THE ESTATE OF BRITNEY JUSTINE CAVAZOS
2512 SWALLOW AVE.
MCALLEN, TEXAS 78504

You are hereby commanded to appear by filing a written answer to the **DEFENDANTS GONZALO PEREZ GONZALEZ AND LM TRANSPORTACIONES SA DE CV'S ORIGINAL THIRD-PARTY PETITION** on or before 10:00 o'clock a.m. on the Monday next after the expiration of twenty (20) days after the date of service hereof, before the **Honorable Bobby Flores, 139th District Court of Hidalgo County, Texas** at the Courthouse at 100 North Closner, Edinburg, Texas 78539.

Said petition was filed on this the 13th day of July, 2020 and a copy of same accompanies this citation. The file number and style of said suit being **C-1629-20-C, MARIA C. LONGORIA, RUDY R. VALDERAS VS. GONZALO PEREZ GONZALEZ, LM TRANSPORTACIONES SA DE CV, JOAQUIN CAVAZOS**

Said Petition was filed in said court by Attorney **DOUGLAS E. CHAVES; 802 N CARANCAHUA SUITE 2100 CORPUS CHRISTI TX 78470.**

The nature of the demand is fully shown by a true and correct copy of the petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at Edinburg, Texas on this the 13th day of July, 2020.

LAURA HINOJOSA, DISTRICT CLERK
100 N. CLOSNER, EDINBURG, TEXAS
HIDALGO COUNTY, TEXAS



XAVIER JIMENEZ, DEPUTY CLERK



EXHIBIT

A-3

AFFIDAVIT OF SERVICE

State of Texas

County of Hidalgo

139th District Court

Case Number: C-1629-20-C

Plaintiff:

MARIA C. LONGORIA and RUDY R. VALDERAS individually and as representatives of the Estate of KRISTINE RENE VALDERAS, deceased

vs.

Defendant:

**GONZALO PEREZ GONZALEZ,
LM TRANSPORTACIONES SA DE CV AND
JOAQUIN CAVAZOS**

For:

Douglas E. Chaves
Chaves Obregon & Perales LLP
802 North Carancahua Suite 2100
Frost Bank Plaza
Corpus Christi, TX 78478

Received by Allen Civil Process on the 13th day of July, 2020 at 3:40 pm to be served on **Estate Of Britney Justine Cavazos, 2512 Swallow Ave, McAllen, Hidalgo County, TX 78504**

I, Timothy R Voss, being duly sworn, depose and say that on the **14th day of July, 2020 at 1:00 pm, I:**

INDIVIDUALLY and PERSONALLY Executed, by delivering a true copy of the **.Citation and Plaintiffs Original Third-Party Petition** with the date of service endorsed thereon by me, to **Juaquin Cavazos** in person at the agreed meeting address of **2512 Swallow Ave, McAllen, Hidalgo County, TX 78504**, and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 60s, Sex: M, Race/Skin Color: Hispanic, Height: 5'10", Weight: 170, Hair: Dark Brown, Glasses: N



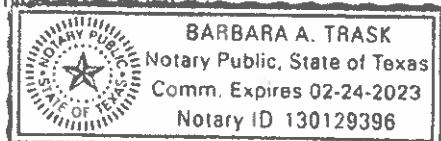
AFFIDAVIT OF SERVICE For C-1629-20-C

I am over eighteen, not a party to nor interested in the outcome of the above numbered suit and that I am certified to serve civil process. I have personal knowledge of the facts set forth in the foregoing affidavit and declare that the statements therein contained are true and correct. I am familiar with the Rules of Civil Procedure. I have never been convicted of a Felony or Misdemeanor involving Moral Turpitude.

NOTARY PUBLIC IN AND FOR
THE STATE OF Texas

Subscribed and Sworn to before me on
the 15 day of July, 2020
by the affiant who is personally known to me.

Barbara A. Trask
NOTARY PUBLIC



Timothy R Voss
PSC-11820 Exp: 1/31/2021

Allen Civil Process
Service@acptx.com
P.O. BOX 181293
Corpus Christi, TX 78480-1293
(361) 884-1657

Our Job Serial Number: ALN-2020005935

CAUSE NO.: C-1629-20-C

MARIA C. LONGORIA AND RUDY	§	IN THE DISTRICT COURT
R. VALDERAS, INDIVIDUALLY	§	
AND AS THE REPRESENTATIVES	§	
OF THE ESTATE OF KRISTINE	§	
RENAE VALDERAS, DECEASED,	§	
	§	
<i>PLAINTIFFS,</i>	§	
	§	
V.	§	_____ JUDICIAL DISTRICT
	§	
GONZALO PEREZ GONZALEZ,	§	
LM TRANSPORTACIONES SA DE	§	
CV, AND JOAQUIN CAVAZOS	§	
	§	
<i>DEFENDANTS.</i>	§	HIDALGO COUNTY, TEXAS

PLAINTIFFS' ORIGINAL PETITION AND REQUEST FOR DISCLOSURES

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Maria C. Longoria and Rudy R. Valderas, individually and as the Representatives of the Estate of Kristine Renae Valderas, Deceased, hereinafter called Plaintiffs, complaining of and about Defendants Gonzalo Perez Gonzalez, LM Transportaciones SA DE CV, and Joaquin Cavazos, and for cause of action would show unto the Court the following:

I.
DISCOVERY CONTROL PLAN LEVEL

1.1 Plaintiffs intend to conduct discovery under Level 3 of Texas Rule of Civil Procedure 190.4 because this suit involves monetary relief over \$1,000,000.00, including damages of any kind, penalties, court costs, expenses, and pre- and post-judgment interest.

C-1629-20-C

1.2 Plaintiffs have suffered losses and damages in a sum within the jurisdictional limits of the Court and for which this lawsuit is brought. Plaintiffs seek monetary relief of \$1,000,000.00 and nonmonetary relief, Tex.R.Civ.P. 47(c)(5). Plaintiffs reserve the right to either file a trial amendment or an amended pleading on the issue of damages if subsequent evidence shows that the range of damages is either too high or too low.

II.
PARTIES AND SERVICE

2.1 At all times material herein, Plaintiffs Maria C. Longoria and Rudy R. Valderas have been citizens and residents of McAllen, Hidalgo County, Texas. They bring this action on their own behalf, and on behalf of the Estate of Kristine Renae Valderas, Deceased ("Decedent"), who is their daughter.

2.2 Defendant Gonzalo Perez Gonzalez is a non-resident Mexican citizen, residing in Reynosa, Mexico. The Court has personal jurisdiction over Defendant, GONZALEZ, because he committed a tort, which is the subject of this suit, in whole or in part in Texas, and operated a commercial vehicle in Texas that was involved in a collision. Defendant GONZALO PEREZ GONZALEZ may be served at his place of employment, LM TRANSPORTACIONES SA DE CV, RANGEL, at 9801 S. Cage Blvd., Suite 5, Pharr, Texas 78577 and/or wherever he may be found.

2.3 Defendant, LM Transportaciones SA DE CV is a company doing business in the State of Texas, and may be served at 9801 S. Cage Blvd., Suite 5, Pharr, Texas 78577.

2.4 Defendant Joaquin Cavazos is a Texas resident who may be served at his residence, 2512 Swallow Avenue, McAllen, Texas 78504.

2.5 When in this petition it is stated and alleged that Defendant Gonzalo Perez

C-1629-20-C

Gonzalez, committed or omitted any act or thing, it is meant and alleged that i) said Defendant committed said act and/or omission, both in his individual capacity and also in his capacity as the agent, servant or employee of Defendant LM Transportaciones SA DE CV, and acting within the course and scope of his employment for said Defendant; ii) said act and/or omission was done as an officer, agent, servant, employee and/or a representative of said Defendant LM Transportaciones SA DE CV; iii) said commission and/or omission was done with the full authorization and/or ratification of said Defendant LM Transportaciones SA DE CV and/or iv) that the commission and/or omission of the act was done in the normal and routine scope of employment as authorized by officers, agents, servants, employees and/or representatives of same.

III.
VENUE AND JURISDICTION

3.1 Plaintiffs would show that venue is proper in Hidalgo County, Texas, pursuant to Section 15.002(a)(1) of the Texas Civil Practice & Remedies Code, in that Hidalgo County is the county in which all or a substantial part of the events or omissions giving rise to the claim occurred.

3.2 Jurisdiction is appropriate in this Court in that this is a lawsuit seeking damages in excess of the minimum jurisdictional limits of the district courts of the State of Texas, and this Court has personal jurisdiction over Defendants as set out above. Plaintiffs seek damages in excess of the minimum jurisdictional limits of this Court.

C-1629-20-C**IV.
FACTS**

4.1 The above-captioned lawsuit concerns a motor vehicle collision which occurred on or about February 4, 2020 – on US Highway 281, west of FM 88 – in Hidalgo County, Texas (“Collision”). Decedent Kristine Renae Valderas was the passenger in a 2015 Honda Accord, which was traveling westbound on US 281. The 2015 Honda Accord was being operated by Britney Cavazos, Deceased (“Ms. Cavazos”) and had been entrusted to her by her grandfather, Defendant Joaquin Cavazos, who was its owner.

4.2 Just prior to the Collision, Defendant Gonzalo Perez Gonzalez (“Defendant Gonzalez”) was also traveling westbound on US 281, ahead of Decedent. Defendant Gonzalez was operating a 2018 Kenworth Tractor Trailer, which was owned by his employer, Defendant LM Transportaciones SA DE CV (“Defendant LM Transportaciones”). Upon information and belief, Defendant Gonzalez was transporting flammable liquids, which are classified as a hazardous material.

4.3 Defendant Gonzalez failed to maintain the proper lane of travel and without warning, came into Cavazos’ lane of travel. Cavazos was unable to avoid colliding with the rear of the trailer operated by Gonzalez and owned by Defendant LM Transportaciones.

4.4 At the time of her death, Decedent was not married, and is survived only by her parents, Plaintiffs Maria C. Longoria and Rudy R. Valderas.

**V.
PLAINTIFFS’ CLAIM OF NEGLIGENCE AGAINST
DEFENDANT GONZALO PEREZ GONZALEZ**

5.1 Plaintiffs re-allege and incorporate herein by reference, as though set forth in their entirety, the allegations contained in the preceding paragraphs.

C-1629-20-C

5.2 Defendant Gonzalez had a duty to exercise that degree of care that a reasonably prudent person transporting flammable liquids would use to avoid harm to others (including Decedent) under circumstances similar to those described herein.

5.3 Defendant Gonzalez breached the duty of care owed by him to Decedent in the following respects:

- a) Defendant Gonzalez failed to keep a proper lookout:
- b) Defendant Gonzalez failed to operate his vehicle at the appropriate speed such as a person of ordinary care would have done under the same or similar circumstances;
- c) Driver Inattention;
- d) Defendant Gonzalez failed to take proper evasive action in an attempt to avoid the Collision;
- e) Failing to maintain a single lane of travel;
- f) Failing to operate the commercial motor vehicle in an appropriate lane of travel; and
- g) For such other and further acts or omissions which may be shown at the time of trial.

5.4 Each and all of the preceding negligent acts of omission or commission on the part of Defendant Gonzalez, separately and concurrently with the acts of all other Defendants herein, were the proximate cause of this collision and of Plaintiffs' injuries on said date of occurrence.

VI.**PLAINTIFFS' CLAIM OF NEGLIGENCE PER SE
AGAINST DEFENDANT GONZALO PEREZ GONZALEZ**

6.1 Plaintiffs re-allege and incorporate herein by reference, as though set forth in their entirety, the allegations contained in the preceding paragraphs.

6.2 Defendant Gonzalez's conduct described herein constitutes an unexcused

C-1629-20-C

breach of the duties imposed by Texas Transportation Code Section 545.058(2), which bars driving on an improved shoulder under the conditions alleged in this Lawsuit.

6.3 Defendant Gonzalez's conduct described herein constitutes an unexcused breach of the duties imposed by Texas Transportation Code Section 545.060(a), which required Gonzalez to drive as nearly as practical within a single lane.

6.4 Defendant Gonzalez's above-listed statutory violations at the time of the Collision, separately and concurrently with the acts of all other Defendants herein, were the proximate cause of Plaintiffs' injuries.

VII.
PLAINTIFFS' CLAIM OF NEGLIGENCE
AGAINST DEFENDANT LM TRANSPORTACIONES SA DE CV

7.1 Plaintiffs re-allege and incorporate herein by reference, as though set forth in their entirety, the allegations contained in the preceding paragraphs.

7.2 Upon information and belief, Defendant LM Transportaciones is an interstate motor carrier, and hence is subject to federal motor carrier safety regulations.

7.3 Defendant LM Transportaciones negligently entrusted the 2018 Kenworth Tractor Trailer owned by it to Defendant Gonzalez on the day of the Collision, in the course and scope of Defendant Gonzalez's employment. In so doing, Defendant LM Transportaciones knew or should have known that that Defendant Gonzalez was an incompetent and unfit driver, and would create an unreasonable risk of danger to other persons using public highways.

7.4 As the employer of Defendant Gonzalez, Defendant LM Transportaciones failed to adequately train and supervise Defendant Gonzalez regarding how to safely operate a tractor-trailer transporting flammable liquids on a public highway, including

C-1629-20-C

under conditions similar to those at issue in this Lawsuit, with Plaintiffs' injuries being a foreseeable result of such failure.

7.5 In regard to Defendant Gonzalez's employment, Defendant LM Transportaciones was also negligent in vetting, hiring and/or retaining Gonzalez because, upon information and belief, Defendant Gonzalez's pre-Collision history of driving violations and/or substance abuse – as to which Defendant LM Transportaciones knew or should have known – rendered Defendant Gonzalez unfit to safely operate a tractor-trailer transporting flammable liquids on a public highway.

7.5 Defendant LM Transportaciones failed to maintain its vehicle in accordance with the Federal Motor Carrier Safety Regulations;

7.6 Defendant LM Transportaciones failed to supervise the conduct of its drivers.

7.7 Defendant LM Transportaciones failed to comply with all applicable Federal Motor Carrier Safety Regulations.

7.8 Each and all of the preceding negligent acts of omission or commission on the part of Defendant LM Transportaciones, separately and concurrently with the acts of all other Defendants herein, were the proximate cause of this collision and of Plaintiffs' injuries on the date of said occurrence.

VIII.

**PLAINTIFFS' CLAIM OF RESPONDEAT SUPERIOR
AGAINST DEFENDANT LM TRANSPORTACIONES SA DE CV**

8.1 Plaintiffs re-allege and incorporate herein by reference, as though set forth in their entirety, the allegations contained in the preceding paragraphs.

8.2 At the time of the Collision and immediately prior thereto, Defendant

C-1629-20-C

Gonzalez was a permissive driver of the 2018 Kenworth Tractor Trailer for Defendant LM Transportaciones, was acting within the course and scope of his employment for LM Transportaciones, and was engaged in the furtherance of the business affairs and/or common business enterprise of Defendant LM Transportaciones. Moreover, at the time of the occurrence of the Collision and immediately prior thereto, Defendant Gonzalez was engaged in accomplishing a work task for the benefit of Defendant LM Transportaciones, by whom Gonzalez was employed.

8.3 Accordingly, Plaintiffs invoke the doctrine of *respondeat superior* against Defendant LM Transportaciones.

IX.**IN THE ALTERNATIVE, PLAINTIFFS' CLAIM OF NEGLIGENCE
ENTRUSTMENT AGAINST JOAQUIN CAVAZOS**

9.1 Pleading in the alternative, Plaintiffs re-allege and incorporate herein by reference, as though set forth in their entirety, the allegations contained in the preceding paragraphs.

9.2 At the time of the Collision and immediately prior thereto, Ms. Cavazos negligently operated the 2015 Honda Accord in which Decedent was a passenger.

9.3 Defendant Joaquin Cavazos negligently entrusted the 2015 Honda Accord owned by him to Ms. Cavazos on the day of the Collision. In so doing, Defendant Joaquin Cavazos knew or should have known that his granddaughter Ms. Cavazos was an incompetent and unfit driver, and would create an unreasonable risk of danger to other persons using public highways.

C-1629-20-C

9.4 Each and all of the preceding negligent acts of omission or commission on the part of Defendant Joaquin Cavazos, Deceased, separately and concurrently with the acts of all other Defendants herein, were the proximate cause of this collision and of Plaintiffs' injuries on said date of occurrence.

X.

SURVIVAL DAMAGES – ESTATE OF KRISTINE RENAE VALDERAS

10.1 Plaintiffs re-allege and incorporate herein by reference, as though set forth in their entirety, the allegations contained in the preceding paragraphs.

10.2 As a direct and proximate result of the negligent actions of Defendants in connection with the Collision, Decedent was killed.

10.3 As a result of the Collision made the basis of this lawsuit, Decedent's Estate incurred the following damages:

- i) The conscious pain and suffering incurred by Decedent as a result of the Collision; and
- ii) Funeral and burial expenses.

10.4 By reason of all of the above, Decedent's Estate has been damaged in an amount in excess of the minimum jurisdictional limits of this Court.

XI.

WRONGFUL DEATH DAMAGES – PARENTS OF DECEDENT

11.1 Plaintiffs re-allege and incorporate herein by reference, as though set forth in their entirety, the allegations contained in the preceding paragraphs.

11.2 Decedent was 26 years of age at the time of her death. She was in good health, with a reasonable life expectancy of at least 55 additional years. Decedent was not married at the time of the Collision. Her parents are Plaintiffs Maria C. Longoria and Rudy R. Valderas. During her lifetime, Decedent was industrious and energetic, a good

C-1629-20-C

daughter who provided for and supported her parents. Specifically, Decedent gave her parents financial support, advice, counsel, comfort, care and protection, and in all reasonable probability would have continued to do so for the remainder of her parent's lives. Accordingly, as a direct and proximate cause of the Collision, Plaintiffs Maria C. Longoria and Rudy R. Valderas have each suffered pecuniary loss from the death of their daughter, Kristine Renae Valderas.

11.3 As a direct and proximate cause of this Collision, Plaintiffs Maria C. Longoria and Rudy R. Valderas have also suffered additional losses by virtue of their parent-child relationship with Decedent, Kristine Renae Valderas including the right to love, affection, solace, comfort, companionship, society, emotional support, and happiness. Plaintiffs have suffered severe mental depression and anguish, grief and sorrow as a result of the death of their daughter, Kristine Renae Valderas, and are likely to continue to suffer for a long time in the future.

11.4 For these losses, Plaintiffs – in their individual capacity as Decedent's parents – seek damages in a sum within the jurisdictional limits of the Court.

XII.
EXEMPLARY DAMAGES

12.1 Plaintiffs re-allege and incorporate herein by reference, as though set forth in their entirety, the allegations contained in the preceding paragraphs.

12.2 The negligence of the Defendants described above was of such a character as to make all Defendants guilty of gross negligence. The conduct of each Defendant, viewed objectively from the standpoint of that Defendant at the time of its occurrence, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to Decedent and others. Moreover, each Defendant herein engaged in the

C-1629-20-C

conduct with conscious indifference to the rights, safety, or welfare of others, despite each Defendant's actual, subjective awareness of the risk involved in operating a vehicle on a public highway, without due regard for the safety of the occupants of other vehicles.

12.3 Plaintiffs hereby make a claim for exemplary or punitive damages against all Defendants, in an amount that may be found by the jury.

XIII.
PRE- AND POST-JUDGMENT INTEREST

13.1 Plaintiffs seek recovery of such pre-judgment and post-judgment interest as permitted by law.

XIV.
RESERVATION OF RIGHTS

14.1 Plaintiffs reserve the right to prove the amount of damages at trial. Plaintiffs reserve the right to amend their petition to add additional counts upon further discovery and as their investigation continues.

XV.
REQUEST FOR JURY TRIAL

15.1 Plaintiffs, in accordance with Rule 216 of the Texas Rules of Civil Procedure, request a trial by jury.

XVI.
REQUEST FOR DISCLOSURE TO DEFENDANTS

16.1 Under Texas Rule of Civil Procedure 194, Plaintiffs hereby request that Defendants Gonzalo Perez Gonzalez, LM Transportaciones SA DE CV, and Defendant Joaquin Cavazos disclose within fifty days (50) of service of this request, the information or materials described in Rule 194.2 of the Texas Rules of Civil Procedure.

C-1629-20-C**XVII.**
CONDITIONS PRECEDENT

17.1 Pursuant to Rule 54 of the Texas Rules of Civil Procedure, all conditions precedent to Plaintiffs' right to recover herein has been performed or has occurred.

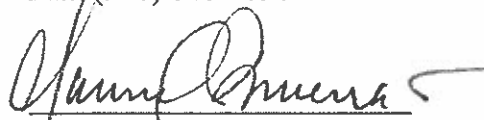
PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that this cause be set for trial before a jury, and that Plaintiffs recover judgment of and from Gonzalo Perez Gonzalez, LM Transportaciones SA DE CV, and Defendant Joaquin Cavazos for their actual damages in such an amount as the evidence may show and the jury may determine to be proper, together with pre-judgment interest, post-judgment interest, costs of suit, and such other and further relief to which they may show themselves to be justly entitled, whether at law or in equity, by this pleading or proper amendment thereto.

Respectfully submitted,

GUERRA LAW FIRM
320 W. Pecan Avenue
McAllen, Texas 78501
Tel. (956) 618-2557
Fax (956) 618-1690

By:



MANUEL GUERRA, III
Texas Bar No. 00798226
Attorney for Plaintiffs

II.

**CROSS CLAIM AGAINST
GONZALO PEREZ GONZALEZ AND LM TRANSPORTACIONES**

A. PARTIES

Cross-Plaintiff JOAQUIN CAVAZOS ("Cavazos") is an individual residing in Hidalgo County, Texas. Cross-Plaintiff asserts affirmative claims as Next Friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor, on behalf of all statutory wrongful death beneficiaries.

Defendant/Cross-Defendant GONZALO PEREZ GONZALEZ("GONZALEZ") is a foreign individual who is a nonresident of Texas, residing at 711 Rio Blanco Reynosa, Mexico 98 0. Under Section 17.061 et seq. of the Texas Civil Practice and Remedies Code, substituted service on Defendant Gonzalez should be made by serving the Chair of the Texas Transportation Commission, J. Bruce Bugg, Jr., at 125 E. 11th Street, Austin, Texas 78701-2483, and forwarded to Defendant's residence at 711 Rio Blanco Reynosa, Mexico 98 0.

Defendant/Cross-Defendant LM TRANSPORTACIONES SA DE CV. ("LM") is a company doing business in the State of Texas and may be served with citation via certified mail at PO Box 5537, Brownsville, Texas 78523.

B. VENUE

Venue is proper in Hidalgo County, Texas pursuant to §15.062 of the Texas Civil Practice & Remedies Code because "venue of the main action shall establish venue of a counterclaim, cross claim, or third-party claim properly joined under the Texas Rules of Civil Procedure or any applicable statute."

C. FACTS

On or about February 4, 2020, at approximately 6:30 p.m., Brittney Cavazos, Deceased, was operating Defendant's Honda Accord when she was involved in a collision in Progreso, Hidalgo County, Texas. At the time of the collision, Brittney Cavazos sustained fatal injuries when Defendant's Honda Accord collided with a tractor and attached trailer operated by Cross-Defendant Gonzalez and owned by Cross-Defendant LM TRANSPORTACIONES SA DE CV. Defendant Gonzalez operated the tractor and trailer in furtherance of Defendant LM's business. The collision and resulting injuries to Brittney Cavazos, deceased, were directly caused as a result of the negligence of Defendants Gonzalez and LM Transportaciones.

D. AGENCY AND RESPONDEAT SUPERIOR

Whenever in this Cross Claim it is alleged that Cross-Defendants did any act or thing, it is meant that Cross-Defendants, themselves or agents, officers, partners, servants, employees or representatives did such act or thing and it was done with full authorization or ratification of Cross-Defendants or done in the normal routine, course and scope of the agency or employment of Cross-Defendants to its agent, officers, partners, servants, employees or representatives.

E. CAUSES OF ACTION

Defendants Gonzalez and LM TRANSPORTACIONES committed acts and/or omissions, singularly or in combination with others, which constitute negligence and proximately caused the collision made the basis of this action and which resulted in the death of Brittney Cavazos injuries of the Cross-Plaintiff, as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor child.

1. Negligence and/or Negligence *per se* of Defendant Gonzalez

Defendant Gonzalez breached the duty owed to the Cross-Plaintiff to exercise reasonable care by committing the following acts and/or omissions:

- a. Driver inattention;
- b. Failing to maintain proper control of the tractor and trailer as a person using ordinary care would have done under the same or similar circumstances;
- c. Failing to take proper evasive action;
- d. Failing to obtain or have the necessary knowledge, training and experience to safely operate the tractor and trailer;
- e. Failing to operate his tractor trailer in a single lane;
- f. Failing to maintain a knowledge and understanding of state and federal motor carrier safety regulations pertaining to procedures for safe vehicle operation in violation of 49 C.F.R. § 383.111;
- g. Failing to have required knowledge of vehicle operation in violation of 49 C.F.R. § 383.111;
- h. Failing to have required skills in vehicle operation in violation of 49 C.F.R. § 383.113;
- i. Failing to have knowledge and compliance with the regulations in violation of 49 C.F.R. § 390.3;
- j. Failing to operate the vehicle in a reasonable and prudent manner;
- k. Failing to keep a proper lookout as a person using ordinary care would have done under the same or similar circumstances;

- I. Violating the Texas Transportation Code and Federal Motor Carrier Safety Administration regulations; and
- m. All other acts and/or omissions that may be shown at the trial of this matter.

Cross-Plaintiff alleges that the actions or inactions of Defendant Gonzalez constituted negligence and/or negligence *per se* and such negligence was a proximate cause of Brittney Cavazos' death and Cross- Plaintiff's injuries as set forth below.

2. Negligence and/or Negligence *per se* of Defendant LM Transportaciones

Cross-Defendant LM Transportaciones violated numerous federal and state statutes designed to protect and safeguard the motoring public, including Cross-Plaintiff; therefore, Cross-Defendant LM Transportaciones is liable for negligence and/or negligence *per se*.

Cross-Defendant LM Transportaciones is also liable for Cross-Plaintiff's damages under the doctrine of *Respondeat Superior*, as Cross-Defendant Gonzalez was on a mission for the commercial benefit of Cross-Defendant LM Transportaciones at the time of the collision. Cross-Defendant Gonzalez was subject to the control of Cross-Defendant LM Transportaciones as to the details of the mission, and was driving in the course and scope of his employment as designated by the Federal Motor Carrier Regulations, including 49 C.F.R. § 390.5. Cross-Defendant LM Transportaciones breached the duty owed to the Cross-Plaintiff to exercise reasonable care by committing the following acts and/or omissions:

- a. Negligently entrusting the tractor with attached trailer to Cross-Defendant Gonzalez;
- b. Failing to supervise the conduct its drivers;

- c. Failing to train drivers regarding safe vehicle operation on the roadways;
- d. Failing to evaluate the qualifications of Cross-Defendant Gonzalez;
- e. Failing to oversee the operation of tractor operated by Cross-Defendant Gonzalez;
- f. Failing to train, supervise and implement safety policies for its drivers;
- g. Failing to maintain its tractor and trailer in accordance with applicable laws, rules and regulations; and
- h. All other acts and/or omissions that may be shown at the trial of this matter.

Cross-Plaintiff alleges that the actions or inactions of Cross-Defendant LM Transportaciones constituted negligence and/or negligence *per se* and such negligence was a proximate cause of Brittney Cavazos' death and Cross-Plaintiff's injuries as will be set out below.

3. Gross Negligence

Cross-Defendants committed acts of omission and commission that constitute gross negligence and such gross negligence proximately caused the incident, Cross-Plaintiff's injuries and damages, for which he is entitled to recover punitive damages.

Defendants' conduct constitutes gross negligence, as defined by Section 41.003 of the Texas Civil Practice & Remedies Code, because their conduct involved an extreme risk, considering the probability and magnitude of potential harm to others, and because Defendants had been in business for years and had actual and subjective awareness of the risks but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of others, including Cross-Plaintiff. Defendants' gross negligence proximately caused the incident, Cross-Plaintiff's injuries and damages.

F. DAMAGES

As a direct and proximate result of the conduct of Cross-Defendants, pursuant to Section 71.004 of the Texas Civil Practice & Remedies Code, Cross-Plaintiff, as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor child on behalf of all wrongful death beneficiaries seeks the following damages:

- Loss of services, support, advice, and maintenance;
- Loss of comfort, companionship and love;
- Mental anguish;
- Loss of inheritance;
- Exemplary Damages;
- Costs of court;
- Pre-Judgment and Post-Judgment Interest; and
- All other damages at law or equity to which Cross-Plaintiff may show himself entitled.

G. RANGE OF DAMAGES

In accordance with the Texas Rule of Civil Procedure, Cross-Plaintiff seeks monetary relief over \$1,000,000.00. However, Cross-Plaintiff reserves the right to either file a trial amendment or an amended pleading on this issue should subsequent evidence show this figure to be either too high or too low.

III.

DEMAND FOR JURY TRIAL

Defendant/Cross-Plaintiff demands a jury trial in accordance with Rule 216 of the Texas Rules of Civil Procedure and tenders herewith the appropriate jury fee.

IV.

REQUEST FOR DISCLOSURE

Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Plaintiffs and Cross-Defendants are requested to disclose, within fifty (50) days of service of this request, the information or material described in Texas Rule of Civil Procedure 194.2(a) – (l).

V.

RULE 193.7 NOTICE

Cross-Plaintiff hereby serves notice of intent to use any and all documents produced by Cross-Defendants in response to written discovery propounded to the Cross-Defendants. As such, the produced documents are self-authenticating pursuant to Rule 193.7 of the Texas Rules of Civil Procedure.

VI.

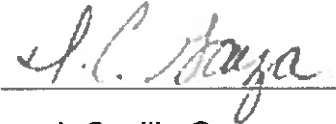
PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendant/Cross-Plaintiff prays that Cross-Defendants be cited to appear and answer herein, that this cause be set for trial before a jury; that Plaintiffs take nothing of Defendant; that Cross-Plaintiff recovers judgment of and from Cross-Defendants for the following:

1. Judgment against Cross-Defendants for the actual and special damages suffered by Plaintiff as a result of the Cross-Defendants' conduct in excess of the minimum jurisdictional limits of this court;
2. Costs of suit;
3. Pre-judgment and post-judgment interest at the highest legal rate as provided by law;
4. Such other and further relief at law or in equity to which Plaintiff may be justly entitled.

Respectfully submitted,

GARZA MARTINEZ, L.L.P.

By: 

I. Cecilia Garza
State Bar No. 24041627
cecilia@garzamartinezlaw.com
Veronica L. Sepulveda
State Bar No. 24081144
veronica@garzamartinezlaw.com
P.O. Box 4134
Edinburg, TX 78540
Telephone No.: 956/335-4900
Telecopier No.: 956/338-5700

&


Carlos E. Ortegon, P.C.
Carlos E. Ortegon
504 E. 9th Street, Ste. A.
Mission, Texas 78572
carloseortegon@yahoo.com

**ATTORNEYS FOR
DEFENDANT/CROSS-
PLAINTIFF**

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing document was electronically served in accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure on this 10th day of June, 2020.

Mr. Manuel Guerra
Guerra Law Firm
320 W. Pecan Ave.
McAllen, Texas 78501


I. Cecilia Garza

Cause No. C-1629-20-C

MARIA C. LONGORIA and RUDY R.	§	IN THE DISTRICT COURT
VALDERAS, individually and as	§	
Representatives of the Estate of	§	
KRISTINE RENAE VALDERAS, deceased	§	
<i>Plaintiffs</i>	§	
VS	§	139th JUDICIAL DISTRICT
	§	
	§	
GONZALO PEREZ GONZALEZ,	§	
LM TRANSPORTACIONES SA DE CV, and	§	
JOAQUIN CAVAZOS	§	
<i>Defendants</i>	§	HIDALGO COUNTY, TEXAS

DEFENDANTS, GONZALO PEREZ GONZALEZ and
LM TRANSPORTACIONES SA DE CV'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, Defendants in the above numbered and entitled cause herein, and make and file their Original Answer, and for such Answer say as follows:

I.

Pursuant to Rule 92 of the Texas Rules of Civil Procedure, GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, generally deny each and every, all the singular, the allegations contained in the Plaintiffs' Original Petition, and demand strict proof thereof by a preponderance of the credible evidence, as required by the Constitution and laws of the State of Texas.

II.

Pleading further, alternatively, and by way of affirmative defense, Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, would show Plaintiffs' alleged damages are the result of negligent acts and/or omissions of others beyond Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV's,

control, whose acts or omissions were a proximate cause or a producing cause or the sole proximate or the sole producing cause of the incident in question and Plaintiffs' alleged damages.

Specifically, Decedent Britney Cavazos was negligent in failing to use ordinary care while operating a motor vehicle. Decedent Britney Cavazos failed to keep a proper lookout, failed to control speed, and failed to yield the right of way to the vehicle operated by GONZALO PEREZ GONZALEZ, thereby causing her vehicle to collide with the vehicle driven by GONZALO PEREZ GONZALEZ, thereby causing the accident in question. Accordingly, Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV contend that Decedent Britney Cavazos' negligence was a proximate cause of the Plaintiffs' injuries and damages if any. Further, Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV would assert that Defendant Joaquin Cavazos was negligent in the entrustment of his vehicle to Decedent Britney Cavazos. In so doing, Defendant Joaquin Cavazos knew or should have known that his granddaughter Decedent Britney Cavazos was an incompetent, reckless and unfit driver at the time of the accident in question, which was a proximate cause of the collision in question.

III.

Defendants, GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, request contribution and/or indemnity from any other named Defendant, Counter-Defendant, Cross-Defendant, Contribution Defendant and/or Responsible Third-Party in accordance with the TEXAS CIVIL PRACTICE & REMEDIES CODE. GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV deny any and all allegations of gross negligence, knowing conduct, intentional and/or wanton behavior, malice, and/or other conduct which Plaintiffs may argue form the basis for any entitlement to punitive and/or exemplary damages. In addition,

Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV rely upon any and all damage caps to which they may be entitled at Statutory and Common Law including, but not limited to, the damage cap contained in sections 41.007 and/or 41.008 of the TEXAS CIVIL PRACTICE & REMEDIES CODE. Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, invoke Chapter 41, Section 41.008 (a) and Section 41.008 (b)(1)(A)(B) and Section 41.008 (b)(2) of the TEXAS CIVIL PRACTICE & REMEDIES CODE pertaining to limitation of gross/punitive damages.

IV.

Recovery, if any, is limited to medical expenses “actually paid or incurred” by Plaintiffs, not merely those alleged to be reasonable and necessary. *See* Tex.Civ.Prac. & Rem. Code § 41.0105.

V.

Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV respectfully request that a court reporter attend all sessions of court in connection with this case, and that said court reporter take full notes of all testimony offered, together with any objections, rulings and remarks of the Court and exceptions thereto, and such other proceedings as may be needed or requested by Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV. *See Christie v. Price*, 558 S.W. 2d 922 (Tex. Civ. App. – Texarkana 1977, no writ).

VI.

SPECIAL EXCEPTIONS

Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV object and specially except to Plaintiffs Petition of record because it fails to specify the maximum amount of damages claimed. Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV hereby request the Court require Plaintiff to replead

specifying the maximum amount of damages claimed.

VII.
PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV pray that Plaintiffs take nothing by their suit and that GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV recover costs, and for such other and general relief as the Court may deem appropriate in the interest of justice and equity.

Respectfully submitted,

CHAVES, OBREGON & PERALES, L.L.P.
802 N. Carancahua, Suite 2100
Corpus Christi, TX 78470
(361) 884-5400
(361) 884-5401 (facsimile)

By: /s/ Douglas E. Chaves
DOUGLAS E. CHAVES
State Bar No. 04161400
dchaves@crrlawfirm.com
AIDAN PERALES
State Bar No. 24027604
aperales@crrlawfirm.com
ATTORNEYS FOR DEFENDANTS,
GONZALO PEREZ GONZALEZ and LM
TRANSPORTACIONES SA DE CV

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing instrument has been served upon all counsel of record to this proceeding by the manner indicated below, on this the 22nd day of June 2020.

/s/ Douglas E. Chaves
DOUGLAS E. CHAVES

Via e-serve

Manuel Guerra, III
GUERRA LAW FIRM
320 w. Pecan Avenue
McAllen, Texas 78501
956/618-2557-Telephone
956/618-1690-Facsimile

Attorney for Plaintiff

I. Cecilia Garza
Cecilia@garzamartinezlaw.com
Veronica Sepulveda
veronica@garzamartinezlaw.com
GARZA MARTINEZ, L.L.P.
PO Box 4134
Edinburg, Texas 78540
956/335-4900- Telephone
956/338-5700-Facsimile

&

Carlos E. Ortegon, P.C.
Carlos E. Ortegon
carlosortegon@yahoo.com
504 E. 9th Street Suite A
Mission, Texas 78572
Attorneys for Defendant Joaquin Cavazos

Cause No. C-1629-20-C

**MARIA C. LONGORIA and RUDY R.
VALDERAS, individually and as
Representatives of the Estate of
KRISTINE RENAE VALDERAS, deceased**
Plaintiffs

VS

**GONZALO PEREZ GONZALEZ,
LM TRANSPORTACIONES SA DE CV**
Defendants/Cross-Defendants
and

JOAQUIN CAVAZOS
Defendant/Cross-Plaintiff

§ **IN THE DISTRICT COURT**

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

139th JUDICIAL DISTRICT

HIDALGO COUNTY, TEXAS

**DEFENDANTS/CROSS-DEFENDANTS GONZALO PEREZ GONZALEZ and
LM TRANSPORTACIONES SA DE CV'S ORIGINAL ANSWER TO CROSS-CLAIM
OF CO-DEFENDANT JOAQUIN CAVAZOS**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, Defendants/Cross-Defendants in the above numbered and entitled cause herein, and make and file this their Original Answer to the Cross-Claim of Co-Defendant Joaquin Cavazos herein suing as Cross-Plaintiff as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor child, on behalf of all statutory wrongful death beneficiaries, and for such Answer would respectfully show unto the Court the following:

I.

Pursuant to Rule 92 of the Texas Rules of Civil Procedure Defendants/Cross-Defendants, GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, generally deny each and every, all the singular, the allegations contained in the Defendant/Cross-Plaintiff Joaquin Cavazos' Original Cross Claim, and demand strict proof thereof by a preponderance of the credible evidence, as required by the Constitution and laws of the State of Texas.

DEFENDANTS/CROSS-DEFENDANTS GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV'S ORIGINAL ANSWER TO CROSS-CLAIM OF CO-DEFENDANT JOAQUIN CAVAZOS

EXHIBIT

A-7

II.

Pleading further, alternatively, and by way of affirmative defense, Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, would show Co-Defendant/Cross-Plaintiff, Joaquin Cavazos as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor child's alleged damages are the result of negligent acts and/or omissions of others beyond these Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV's, control, whose acts or omissions were a proximate cause or a producing cause or the sole proximate or the sole producing cause of the incident in question and Plaintiffs' alleged damages.

Specifically, Decedent Britney Cavazos was negligent in failing to use ordinary care while operating a motor vehicle. Decedent Britney Cavazos failed to keep a proper lookout, failed to control speed, and failed to yield the right of way to the vehicle operated by GONZALO PEREZ GONZALEZ, thereby causing her vehicle to collide with the vehicle driven by GONZALO PEREZ GONZALEZ, thereby causing the accident in question. Accordingly, Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV contend that Decedent Britney Cavazos' negligence was a proximate cause of the Plaintiffs' injuries and damages if any. Further, Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV would assert that Defendant/Cross-Plaintiff Joaquin Cavazos was negligent in the entrustment of his vehicle to Decedent Britney Cavazos. In so doing, Defendant Cross-Plaintiff Joaquin Cavazos knew or should have known that his granddaughter Decedent Britney Cavazos was an incompetent, reckless and unfit driver at the time of the accident in question, which was a proximate cause of the collision in question.

III.

Defendants/Cross-Defendants, GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, request contribution and/or indemnity from any other named Defendant, Counter-Defendant, Cross-Defendant, Contribution Defendant and/or Responsible Third-Party in accordance with the TEXAS CIVIL PRACTICE & REMEDIES CODE. Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV deny any and all allegations of gross negligence, knowing conduct, intentional and/or wanton behavior, malice, and/or other conduct which Cross-Plaintiff may argue form the basis for any entitlement to punitive and/or exemplary damages. In addition, Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV rely upon any and all damage caps to which they may be entitled at Statutory and Common Law including, but not limited to, the damage cap contained in sections 41.007 and/or 41.008 of the TEXAS CIVIL PRACTICE & REMEDIES CODE. Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, invoke Chapter 41, Section 41.008 (a) and Section 41.008 (b)(1)(A)(B) and Section 41.008 (b)(2) of the TEXAS CIVIL PRACTICE & REMEDIES CODE pertaining to limitation of gross/punitive damages.

IV.

Recovery, if any, is limited to medical expenses “actually paid or incurred” by Co-Defendant/Cross-Plaintiff, Joaquin Cavazos as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor child, not merely those alleged to be reasonable and necessary. See Tex.Civ.Prac. & Rem. Code § 41.0105.

V.

Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM

TRANSPORTACIONES SA DE CV respectfully request that a court reporter attend all sessions of court in connection with this case, and that said court reporter take full notes of all testimony offered, together with any objections, rulings and remarks of the Court and exceptions thereto, and such other proceedings as may be needed or requested by these Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV. See *Christie v. Price*, 558 S.W. 2d 922 (Tex. Civ. App. – Texarkana 1977, no writ)

VI.
SPECIAL EXCEPTIONS

These Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV object and specially except to Co-Defendant/Cross-Plaintiff, Joaquin Cavazos as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor child's Original Cross-Claim of record because it fails to specify the maximum amount of damages claimed. Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV hereby request the Court require Co-Defendant/Cross-Plaintiff, Joaquin Cavazos as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor child to replead specifying the maximum amount of damages claimed.

These Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV further object and specially except to Co-Defendant/Cross-Plaintiff, Joaquin Cavazos as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor child's Original Cross-Claim of record because it fails to specify how Defendant/Cross-Plaintiff has standing to bring such a cause of action as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor child, and any other alleged statutory wrongful death beneficiary and thereby request the Court to require Co-Defendant/Cross-Plaintiff, Joaquin Cavazos as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor child to replead specifying how he has such

standing.

**VII.
PRAYER FOR RELIEF**

WHEREFORE, PREMISES CONSIDERED, Defendants/Cross-Defendants GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV pray that Co-Defendant/Cross-Plaintiff as next friend of XXXXXXXXXXXX XXXXXX XXXXX, a minor, on behalf of all statutory wrongful death beneficiaries, Joaquin Cavazos takes nothing by his suit and that GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV recover costs, and for such other and general relief as the Court may deem appropriate in the interest of justice and equity.

Respectfully submitted,

CHAVES, OBREGON & PERALES, L.L.P.
802 N. Carancahua, Suite 2100
Corpus Christi, TX 78470
(361) 884-5400
(361) 884-5401 (facsimile)

By: /s/ Douglas E. Chaves
DOUGLAS E. CHAVES
State Bar No. 04161400
dchaves@crilawfirm.com
AIDAN PERALES
State Bar No. 24027604
aperales@crilawfirm.com

**ATTORNEYS FOR DEFENDANTS/CROSS-
DEFENDANTS, GONZALO PEREZ
GONZALEZ and LM TRANSPORTACIONES**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing instrument has been served upon all counsel of record to this proceeding by the manner indicated below, on this the 2nd day of July 2020.

/s/ Douglas E. Chaves
DOUGLAS E. CHAVES

Via e-serve

Manuel Guerra, III
GUERRA LAW FIRM
320 w. Pecan Avenue
McAllen, Texas 78501
956/618-2557-Telephone
956/618-1690-Facsimile

Attorney for Plaintiff

I. Cecilia Garza
Cecilia@garzamartinezlaw.com
Veronica Sepulveda
veronica@garzamartinezlaw.com
GARZA MARTINEZ, L.L.P.
PO Box 4134
Edinburg, Texas 78540
956/335-4900- Telephone
956/338-5700-Facsimile

&

Carlos E. Ortegon, P.C.
Carlos E. Ortegon
carlosortegon@yahoo.com
504 E.9th Street Suite A
Mission, Texas 78572
Attorneys for Defendant/Cross-Plaintiff Joaquin Cavazos

Cause No. C-1629-20-C

MARIA C. LONGORIA and RUDY R.	§	IN THE DISTRICT COURT
VALDERAS, individually and as	§	
Representatives of the Estate of	§	
KRISTINE RENAE VALDERAS, deceased	§	
<i>Plaintiffs</i>	§	
VS	§	139th JUDICIAL DISTRICT
	§	
GONZALO PEREZ GONZALEZ,	§	
LM TRANSPORTACIONES SA DE CV	§	
<i>Defendants/Cross-Defendants</i>	§	
and	§	
JOAQUIN CAVAZOS	§	
<i>Defendant/Cross-Plaintiff</i>	§	HIDALGO COUNTY, TEXAS

DEFENDANTS GONZALO PEREZ GONZALEZ AND
LM TRANSPORTACIONES SA DE CV'S ORIGINAL THIRD-PARTY PETITION

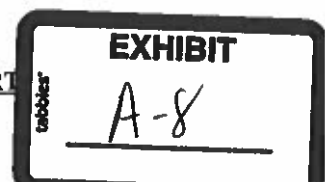
TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Defendants and now Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV (hereinafter "Third-Party Plaintiffs"), and file this, their Original Third-Party Petition complaining of the Estate of Britney Justine Cavazos (hereinafter "Britney Justine Cavazos"). In support of their Original Third-Party Petition, GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV allege as follows:

A. PARTIES

1. Plaintiffs, Maria C. Longoria and Rudy R. Valderas, individually and as Representatives of the Estate of Kristine Renae Valderas, deceased are individuals residing in Texas.

2. Defendants/Third-Party Plaintiffs herein, Gonzalo Perez Gonzalez and LM



Transportaciones SA De CV have answered the suit and are before the Court for all jurisdictional and venue purposes.

3. Defendant Joaquin Cavazos has answered the suit and is before the Court for all jurisdictional purposes.

4. Third-Party Defendant The Estate of Britney Justine Cavazos (hereinafter "Third-Party Defendant") may be served with process at Decedent Britney Justine Cavazos' last known address at 2512 Swallow Ave., McAllen, Texas 78504.

B. JURISDICTION AND VENUE

5. The Court has jurisdiction of the claims contained herein under Rule 38 of the Texas Rules of Civil Procedure because the Third-Party Defendant is or may be liable to Third-Party Plaintiffs for all or part of any claims against Third-Party Plaintiffs in this suit. The amount in controversy is within the jurisdictional limits of this Court.

6. Venue is proper in in Bexar County, Texas.

C. FACTS

7. Plaintiffs, Maria C. Longoria and Rudy R. Valderas, individually and as Representatives of the Estate of Kristine Renae Valderas have filed suit against Third-Party Plaintiffs as a result of an accident that occurred on February 4, 2020 in Hidalgo County, Texas. Specifically, Kristine Renae Valderas was a passenger in a vehicle operated by Britney Justine Cavazos, when Britney Justine Cavazos caused the accident in question, resulting in the death of Kristine Renae Valderas and Britney Justine Cavazos.

8. Britney Justine Cavazos failed to control her speed and struck the back of the vehicle operated by Third-Party Plaintiff Gonzalo Perez Gonzalez. Defendants/Third Party-Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV have

denied and continue to deny, all liability. Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV contend, that Plaintiffs, Maria C. Longoria and Rudy R. Valderas, individually and as Representatives of the Estate of Kristine Renae Valderas' damages, if any, are due to the negligence of Decedent Britney Justine Cavazos.

D. CLAIMS AGAINST THIRD-PARTY DEFENDANT

9. Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV claim that on the occasion in question, Third-Party Defendant Britney Justine Cavazos was negligent in failing to use ordinary care while operating a motor vehicle. Specifically, Britney Justine Cavazos failed to control speed and failed to maintain a clear and reasonable distance between Third-Party Plaintiff Gonzalo Perez Gonzalez's vehicle and her vehicle.

10. Accordingly, Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV contend that Britney Justine Cavazos' negligence was a proximate cause of the Plaintiffs', Maria C. Longoria and Rudy R. Valderas, individually and as Representatives of the Estate of Kristine Renae Valderas' alleged damages if any.

11. Although Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV continue to deny that they are liable in any way, in the unlikely event Plaintiffs, Maria C. Longoria and Rudy R. Valderas, individually and as Representatives of the Estate of Kristine Renae Valderas are successful in their claims against Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, in whole or in part, then Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV assert that Third-Party Defendant The Estate of Britney Justine Cavazos is responsible for the damages of

Plaintiffs, Maria C. Longoria and Rudy R. Valderas, individually and as Representatives of the Estate of Kristine Renae Valderas.

E. CONTRIBUTION

12. Pleading further, and in the alternative, Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV continue to deny that they are liable in any way. In the unlikely event Plaintiffs, Maria C. Longoria and Rudy R. Valderas, individually and as Representatives of the Estate of Kristine Renae Valderas are successful in their claims against Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV, in whole or in part, however, then Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV are entitled to judgment over and against Third-Party Defendant The Estate of Britney Justine Cavazos for all or a part of Plaintiffs, Maria C. Longoria and Rudy R. Valderas, individually and as Representatives of the Estate of Kristine Renae Valderas' claims against Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV attributable to Third-Party Defendant Britney Justine Cavazos' comparative fault.

F. PRAYER

13. WHEREFORE, PREMISES CONSIDERED, Defendants/Third-Party Plaintiffs GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV request that Third-Party Defendant The Estate of Britney Justine Cavazos be required to appear and answer herein, and that upon final hearing, in the unlikely event Plaintiffs should prevail herein, all such liability being expressly denied, that GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV have judgment over and against The Estate of Britney

Justine Cavazos and for GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV's reasonable and necessary attorneys' fees, costs, interest, and such other and further relief, at law or in equity, to which GONZALO PEREZ GONZALEZ and LM TRANSPORTACIONES SA DE CV may be justly entitled.

Respectfully submitted,

CHAVES, OBREGON & PERALES, L.L.P.
802 N. Carancahua, Suite 2100
Corpus Christi, TX 78470
(361) 884-5400
(361) 884-5401 (facsimile)

By: /s/ Douglas E. Chaves
DOUGLAS E. CHAVES
State Bar No. 04161400
dchaves@crllawfirm.com
AIDAN PERALES
State Bar No. 24027604
aperales@crllawfirm.com

**ATTORNEYS FOR DEFENDANTS/CROSS-
DEFENDANTS, GONZALO PEREZ
GONZALEZ and LM TRANSPORTACIONES**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing instrument has been served upon all counsel of record to this proceeding by the manner indicated below, on this the 13th day of July 2020.

/s/ Douglas E. Chaves
DOUGLAS E. CHAVES

Via e-serve

Manuel Guerra, III
GUERRA LAW FIRM
320 w. Pecan Avenue
McAllen, Texas 78501
956/618-2557-Telephone
956/618-1690-Facsimile

Attorney for Plaintiff

I. Cecilia Garza
Cecilia@garzamartinezlaw.com
Veronica Sepulveda
veronica@garzamartinezlaw.com
GARZA MARTINEZ, L.L.P.
PO Box 4134
Edinurg, Texas 78540
956/335-4900- Telephone
956/338-5700-Facsimile

&

Carlos E. Ortegon, P.C.
Carlos E. Ortegon
carlosortegon@yahoo.com
504 E.9th Street Suite A
Mission, Texas 78572
Attorneys for Defendant/Cross-Plaintiff Joaquin Cavazos

Notice is further given that on the 26th day of February, 2021, the above named Defendants filed a copy of said notice with the District Clerk for the 139th District Court of Hidalgo County, Texas, as required by law.

Respectfully submitted,

CHAVES, OBREGON & PERALES, L.L.P.

802 N. Carancahua, Suite 2100

Corpus Christi, TX 78470

(361) 884-5400

(361) 884-5401 (facsimile)

By: /s/ Douglas E. Chaves

DOUGLAS E. CHAVES

State Bar No. 04161400

Southern Bar District ID No. 1895

dchaves@coplawfirm.com

AIDAN PERALES

State Bar No. 24027604

Southern Bar District ID No. 27471

aperales@coplawfirm.com

ATTORNEYS FOR DEFENDANTS/CROSS-

DEFENDANTS, GONZALO PEREZ

GONZALEZ and LM TRANSPORTACIONES

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing instrument has been served upon all counsel of record to this proceeding by the manner indicated below, on this the 26th day of February, 2021.

/s/ Douglas E. Chaves
DOUGLAS E. CHAVES

Via e-serve

Manuel Guerra, III
GUERRA LAW FIRM
320 w. Pecan Avenue
McAllen, Texas 78501
956/618-2557-Telephone
956/618-1690-Facsimile

Attorney for Plaintiff

I. Cecilia Garza
Cecilia@garzamartinezlaw.com
Veronica Sepulveda
veronica@garzamartinezlaw.com
GARZA MARTINEZ, L.L.P.
PO Box 4134
Edinurg, Texas 78540
956/335-4900- Telephone
956/338-5700-Facsimile

&

Carlos E. Ortegon, P.C.
Carlos E. Ortegon
carlosortegon@yahoo.com
504 E.9th Street Suite A
Mission, Texas 78572
Attorneys for Defendant/Cross-Plaintiff Joaquin Cavazos

Skip to Main Content Logout My Account Search Menu New Civil Search Refine Search Back

Location : All Courts Images

REGISTER OF ACTIONS**CASE NO. C-1629-20-C****MARIA C. LONGORIA, RUDY R. VALDERAS VS. GONZALO PEREZ
GONZALEZ, LM TRANSPORTACIONES SA DE CV, JOAQUIN CAVAZOS**§
§
§
§
§Case Type: **Injury or Damage - Motor
Vehicle (OCA)**
Date Filed: **05/13/2020**
Location: **139th District Court****PARTY INFORMATION****Defendant CAVAZOS, JOAQUIN****Attorneys**
I. CECILIA GARZA
Retained
956-335-4900(W)**Defendant LM TRANSPORTACIONES SA DE CV****DOUGLAS E. CHAVES**
Retained
361-884-5400(W)**Defendant PEREZ GONZALEZ, GONZALO****DOUGLAS E. CHAVES**
Retained
361-884-5400(W)**Plaintiff LONGORIA, MARIA C.****MANUEL GUERRA, III**
Retained
956-618-2557(W)**Plaintiff VALDERAS, RUDY R.****MANUEL GUERRA, III**
Retained
956-618-2557(W)**EVENTS & ORDERS OF THE COURT**

OTHER EVENTS AND HEARINGS

05/13/2020 Original Petition (OCA)
AND REQUEST FOR DISCLOSURES

05/19/2020 Citation
PEREZ GONZALEZ, GONZALO Served 06/02/2020
Returned 06/10/2020
LM TRANSPORTACIONES SA DE CV Served 06/08/2020
Returned 06/10/2020
CAVAZOS, JOAQUIN Unserved

05/19/2020 Citation Issued

06/10/2020 Defendant's Original Answer
AND REQUEST FOR DISCLOSURES

06/22/2020 Defendant's Original Answer

07/02/2020 Answer

07/13/2020 Cross Action (Fee)
DEFENDANTS GONZALO PEREZ GONZALEZ AND LM TRANSPORTACIONES SA DE CV'S ORIGINAL THIRD-PARTY PETITION

07/13/2020 Cover Letter
RE: CITATION

07/13/2020 Citation
The Estate of Britney Justine Cavazos Served 07/14/2020
Returned 07/17/2020

07/13/2020 Citation Issued

08/10/2020 Rule 11 Agreement, Filed

08/10/2020 E-Filing Forwarded to Court Queue
RULE 11 AGREEMENT

08/10/2020 Rule 11 Agreement Reviewed and Returned by Court

10/07/2020 Notice of Intention to Take Deposition on Written Questions
12 TOWING (ANY & ALL RECORDS)

10/07/2020 Notice of Intention to Take Deposition on Written Questions
MCALLEN MEDICAL CENTER (MEDICAL)

10/07/2020 Notice of Intention to Take Deposition on Written Questions
VALLEY FORENSICS P.L.L.C. (AUTOPSY)

11/23/2020 Motion
FOR TRIAL SETTING

11/23/2020 Order Setting Hearing
ON DOCKET CONTROL CONFERENCE

11/23/2020 E-Filing Forwarded to Court Queue
ORDER SETTING HEARING ON DOCKET CONTROL CONFERENCE

11/24/2020 Order Setting DCC, Signed

11/24/2020 Notice Sent

EXHIBIT**A-16**

ORDER SETTING DOCKET CONTROL CONFERENCE
 12/08/2020 Notice of Intention to Take Deposition on Written Questions
 12/09/2020 Docket Control Conference Hearing/Telephonic (1:00 PM) (Judicial Officer Flores, Bobby)
 @2:00 p.m.
 Result: Held
 12/09/2020 Docket Control Conference
 Erica with Atty. Manuel Guerra, Atty. Cecilia Garza and Atty. Adan Perez agreed on Pre Trial and Jury Trial set for 9/20/2021 and Erica will prepare Scheduling Order
 02/01/2021 Notice of Intention to Take Deposition on Written Questions
 SOUTH TEXAS HEALTH SYSTEM BEHAVIORAL (MEDICAL)
 02/22/2021 Motion to Compel
 DISCOVERY AS TO DEFENDANTS GONZALO PEREZ GONZALEZ AND LM TRANSPORTACIONES
 02/22/2021 Order Setting Hearing
 ON MOTION TO COMPEL
 02/23/2021 E-Filing Forwarded to Court Queue
 ORDER SETTING HEARING ON MOTION TO COMPEL
 02/23/2021 Order Setting Hearing, Signed
 ON MOTION TO COMPEL
 02/24/2021 Notice Sent
 ORDER SETTING HEARING ON MOTION TO COMPEL, SIGNED
 02/26/2021 Notice of Intention to Take Deposition on Written Questions
 DR JESUS A ZAVALLETTA (MEDICAL)
 03/31/2021 Motion to Compel (9:00 AM) (Judicial Officer Flores, Bobby)
 09/20/2021 Pre Trial / Trial (9:00 AM) (Judicial Officer Flores, Bobby)
 1-2 week Trial

FINANCIAL INFORMATION

	Defendant CAVAZOS, JOAQUIN		
	Total Financial Assessment		16.00
	Total Payments and Credits		16.00
	Balance Due as of 02/26/2021		0.00
06/11/2020	Transaction Assessment		16.00
06/11/2020	EFile Payments from TexFile	Receipt # DC-2020-008668 CAVAZOS, JOAQUIN	(16.00)
	Defendant LM TRANSPORTACIONES SA DE CV		
	Total Financial Assessment		94.00
	Total Payments and Credits		94.00
	Balance Due as of 02/26/2021		0.00
07/13/2020	Transaction Assessment		94.00
07/13/2020	EFile Payments from TexFile	Receipt # DC-2020-010310 LM TRANSPORTACIONES SA DE CV	(94.00)
	Plaintiff LONGORIA, MARIA C.		
	Total Financial Assessment		376.00
	Total Payments and Credits		376.00
	Balance Due as of 02/26/2021		0.00
05/14/2020	Transaction Assessment		376.00
05/14/2020	EFile Payments from TexFile	Receipt # DC-2020-007224 LONGORIA, MARIA C.	(376.00)

Index of Parties and Counsel

Douglas E. Chaves

CHAVES, OBREGON & PERALES, L.L.P.

802 N. Carancahua, Suite 2100

Corpus Christi, TX 78470

(361) 884-5400

(361) 884-5401 (facsimile)

State Bar No. 04161400

Fed. ID No. 1895

dchaves@crmlawfirm.com

AIDAN PERALES

State Bar No. 24027604

Fed. ID No. 27471

aperales@crmlawfirm.com

Attorney for Defendants/Cross Defendants Gonzalo Perez Gonzalez and LM Transportaciones SA DE CV

Manuel Guerra, III

GUERRA LAW FIRM

320 w. Pecan Avenue

McAllen, Texas 78501

956/618-2557-Telephone

956/618-1690-Facsimile

Attorney for Plaintiff Maria C. Longoria and Rudy R. Valderas, Individually and as Representatives of the Estate of Kristine Renae Valderas, deceased

I. Cecilia Garza

Cecilia@garzamartinezlaw.com

Veronica Sepulveda

veronica@garzamartinezlaw.com

GARZA MARTINEZ, L.L.P.

PO Box 4134

Edinburg, Texas 78540

956/335-4900- Telephone

956/338-5700-Facsimile

&

Carlos E. Ortegon, P.C.

Carlos E. Ortegon

carlosortegon@yahoo.com

504 E.9th Street Suite A

Mission, Texas 78572

Attorneys for Defendant/Cross-Plaintiff Joaquin Cavazos

